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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

OWEN DIAZ,

Plaintiff,

vs.

TESLA, INC. DBA TESLA MOTORS, INC.,

Defendant.

Case No. 3:17-cv-06748-WHO

**[PROPOSED] ORDER GRANTING
DEFENDANT TESLA INC.'S MOTION
FOR NEW TRIAL ON LIABILITY AND
DAMAGES**

[PROPOSED] ORDER

Now before the Court is Defendant Tesla, Inc. DBA Tesla Motors, Inc.’s (“Tesla”) Motion for New Trial On Liability and Damages (“Motion”). Upon consideration of the papers filed in support of and in opposition to the Motion, this Court concludes as follows.

The issues of damages are not “so distinct and separable from [liability] that a trial of [them] alone may be had without injustice.” *Gasoline Products Co. v. Champlin Refining Co.*, 283 U.S. 494, 500 (1931). Accordingly, the Court grants a new trial as to liability and damages issues.

IT IS THEREFORE ORDERED that Tesla’s motion for a new trial on liability and damages is GRANTED.

Dated: _____

The Honorable William H. Orrick
United States District Judge